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Notice of Allowability	Application No.	Applicant(s)	
	10/827,334	SYRE ET AL.	
	Examiner	Art Unit	
	MOHAMMAD Y. SIKDER	2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/20/04.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 20 April 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/217,462.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>4/20/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance:

The claims are allowable over the prior art for at least the reason that the prior art fails to reasonably teach or suggest sliding bottoms of the grooves assigned to each pin have a smaller spacing in relation thereto, so that the cap bears against the pins under prestress or the at least three grooves associated with the at least three protrusions have a sliding bottom having a spacing, when the cap is not operationally positioned on the eyepiece housing, in relation to the longitudinal axis of the housing that is smaller than the spacing of the outward ends of the protrusions in relation to the longitudinal axis of the housing or the at least three protrusions associating with the cap are arranged on the housing such that the at least three protrusions each have a portion that lies substantially in a plane normal to the longitudinal axis of the eyepiece housing, and wherein outward ends of each of the at least three protrusions have approximately the same spacing from the longitudinal axis as set forth in the claimed combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONTACT INFORMATION

Application Control Number: 10/827,334
Art Unit: 2872

Page 3

Papers related to this application may be submitted to Customer Window:

220 20th Street S.

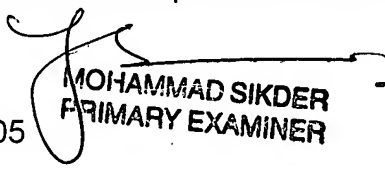
Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202.

Correspondence that is transmitted by facsimile must be directed to the central facsimile number 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to M. Sikder whose telephone number is (571) 272-2321.

Monday, March 21, 2005


MOHAMMAD SIKDER
PRIMARY EXAMINER